

November 8, 2024

NO. CV24-09-734LOUCRECIA BIGGERSTAFF
DISTRICT CLERK-WISE COUNTY, TX
BY *Lally* DEPUTY**IN THE MATTER OF
THE MARRIAGE OF****CHRISTOPHER MCCARTHY
and
DARCY GUSSE**§
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§**IN COUNTY COURT AT LAW****NUMBER TWO****WISE COUNTY, TEXAS**

**FIRST AMENDED TEMPORARY RESTRAINING ORDER AND
ORDER SETTING HEARING FOR TEMPORARY ORDERS**

The application of Petitioner, Christopher McCarthy, for temporary restraining orders was presented to the Court today. Respondent is Darcy Gusse.

The Court examined the pleadings and affidavit of Petitioner and finds that Petitioner is entitled to a temporary restraining order.

IT IS THEREFORE ORDERED that the clerk of this Court issue a temporary restraining order restraining Respondent, and Respondent is immediately restrained, from:

1. Intentionally, knowingly, or recklessly destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both of the parties with intent to obstruct the authority of the Court to order a division of the estate of the parties in a manner that the Court deems just and right, having due regard for the rights of each party, including the specific properties listed herein above.
2. Intentionally falsifying a writing or record, including an electronic record, relating to the property of either party.
3. Intentionally misrepresenting or refusing to disclose to Petitioner or to the Court, on proper request, the existence, amount, or location of any tangible or intellectual property of one or both of the parties, including electronically stored or recorded information.
4. Intentionally or knowingly damaging or destroying the tangible or intellectual property of one or both of the parties, including electronically stored or recorded information.
5. Intentionally or knowingly tampering with the tangible or intellectual property of one or both of the parties, including electronically stored or recorded information, and causing pecuniary loss or substantial inconvenience to Petitioner.
6. Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of one or both of the parties, whether personal property, real property, or intellectual property, and whether separate or community property, except as specifically authorized by order of this Court.
7. Incurring any debt, other than legal expenses in connection with this suit, except as specifically authorized by order of this Court.
8. Withdrawing money from any checking or savings account in any financial institution for any purpose, except as specifically authorized by order of this Court.

9. Opening or diverting mail or email or any other electronic communication addressed to Petitioner.
10. Signing or endorsing Petitioner's name on any negotiable instrument, check, or draft, including a tax refund, insurance payment, and dividend, or attempting to negotiate any negotiable instrument payable to Petitioner without the personal signature of Petitioner.
11. Taking any action to terminate or limit credit or charge cards in the name of Petitioner.
12. Using any password or personal identification number to gain access to Petitioner's email account, bank account, social media account, or any other electronic account.
13. Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or any other contractual service, including security, pest control, landscaping, or yard maintenance, at 157 CR 1380, Alvord, Texas or in any manner attempting to withdraw any deposits for service in connection with any of those services.
14. Excluding Petitioner from the use and enjoyment of the residence located at 157 CR 1380, Alvord, Texas.
15. Entering, operating, or exercising control over the motor vehicle in possession of Petitioner or any motor vehicle in the possession of Petitioner.
16. Tracking or monitoring personal property or a motor vehicle in the possession of Petitioner, without Petitioner's effective consent, including by using a tracking application on a personal electronic device in the possession of Petitioner, using a tracking device, or physically following Petitioner or causing another to physically follow Petitioner.
17. Encumbrance, sale, distribution, forfeiture, or any other legal change relative to title, ownership, and conveyance in any manner, regarding the following properties:
 - 1) Lot 20, Block 1, of BAR W, an Addition to Wise County, Texas, according to the Plat thereof recorded in Cabinet E, Slide 311, Plat Records of Wise County, Texas ~ 10 acres; and
 - 2) Lot 21, Block 1, of BAR W, an Addition to Wise County, Texas, according to the Plat thereof recorded in Cabinet E, Slide 311, Plat Records of Wise County, Texas ~ 10 acres
18. Exercising possession or control of any of the property located at the common known address of 157 CR 1380, Alvord, Texas – which includes both parcels herein above stated in #17.
19. Entering or remaining on the premises of the residence or lands located at the common known address of 157 CR 1380, Alvord, Texas – which includes both parcels herein above stated in #17.

This restraining order is effective immediately and shall continue in force and effect until further order of this Court or until it expires by operation of law. This order shall be binding on Respondent; on Respondent's agents, servants, and employees; and on those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise. The requirement of a bond is waived.

IT IS ORDERED that the hearing for temporary relief is set before the Court at **1:00 P.M.**

on November 18, 2024.

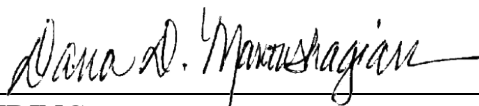
All participants, including Respondent, Darcy Gusse, are ORDERED to appear on the date and at the time set for the hearing physically in the courtroom of this Court at 1007 13th Street #109, Bridgeport, Texas 76426. Participants may appear before the Court by other means only if permitted by court order. The Court's designated contact information is 940.683.0268.

Failure of a participant to appear as directed may result in sanctions being entered, up to and including default judgment or dismissal of claims.

The purpose of the hearing is to determine whether, while this case is pending:

1. The preceding temporary restraining order should be made a temporary injunction pending final hearing.
2. Any additional temporary injunction prayed for should be granted.
3. The Court should order the parties to participate in an alternative dispute resolution process before trial of this matter.
4. The Court should order Respondent to produce copies of income tax returns for tax years 2021-2023, a financial statement, and current pay stubs by a date certain.
5. The Court should order the parties to provide a sworn inventory and appraisal of all the separate and community property owned or claimed by the parties and all debts and liabilities owed by the parties substantially in the form and detail prescribed by the current edition of *Texas Family Law Practice Manual*, form 7-1.
6. The Court should order Respondent to execute all necessary releases required by Petitioner to obtain any discovery allowed by the Texas Rules of Civil Procedure.
7. The Court should order a pretrial conference to simplify the issues in this case and determine the stipulations of the parties and for any other matters the Court deems appropriate.
8. The Court should make all other and further orders that are pleaded for or that are deemed necessary for the interest of the property and parties.

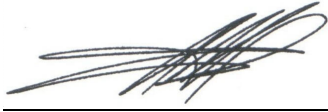
SIGNED on 11/8/2024 at 8:37 a.m..


JUDGE PRESIDING

Respectfully submitted,

LLOYD & ASSOCIATES, PLLC
1512 E. McKinney St., Suite 201
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By:



Andrew M. Lloyd
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Automated Certificate of eService

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Jennifer Johnson on behalf of Andrew Lloyd

Bar No. 24039019

jennifer@lloyd counsel.com

Envelope ID: 93927171

Filing Code Description: Proposed Order

Filing Description: First Amended Temporary Restraining Order

Status as of 11/5/2024 9:21 AM CST

Associated Case Party: CHRISTOPHER MCCARTHY

Name	BarNumber	Email	TimestampSubmitted	Status
Andrew Lloyd		andrew@lloyd counsel.com	11/5/2024 9:03:37 AM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
LLOYD ASSOCIATES		jennifer@lloyd counsel.com	11/5/2024 9:03:37 AM	SENT